



Proposal 217, 2015

**Metropolitan & Economic
Development Committee
August 31, 2015**

QUESTIONS & CONCERNS



- Open space in new subdivisions
- Length of Cul-de-sac streets
- Building code into a land use document: entrance & doors
- Building code into a land use document: MF heights
- Vacant building provision
- Parking downtown
- Secondary dwelling units
- Parking for lots under 5K sf

Questions & Concerns:

Open space in new subdivisions



Citation: Section 741-310

“Some of the requirements (e.g. open space) add significant burden with both cost and site development options, especially for smaller parcels that are ripe for redevelopment. We would ask that parcels under 50 acres be exempt from open space requirements to help encourage redevelopment activities.”

- Practically all subdivisions are less than 50 acres
- Significant cost savings elsewhere (e.g. paving)

Questions & Concerns: Length of Cul-de-sac streets



Citation: Section 741-303

“Cul-de-sac lengths – the existing standard is 650’; new standards would limit at 400’ or 20 units (max 550’ with special approval); we would like an “either/or” provision that would (limit) all 650’ or 30 units/lots.”

- Public safety issue
- Already compromise from National Fire standard

Questions & Concerns: Building code into a land use document



Citation: Section 743-302.A

“Concerns with incorporating elements of building code into a land use document

Pg. 475 – requires certain doorway sizes and vertical clearances. Local units may not mandate building code functions without approval from the Indiana State Fire Prevention and Building Safety Commission. Further, optional standards for “visitability” exist in current state law.”

- Will go to state if necessary, but standard must be passed for them to rule.

Questions & Concerns: Building code into a land use document



Citations: Sections 744.201.B, D, E

“Concerns with incorporating elements of building code into a land use document

Building height requirements – Building code allows for 60’ (wood over podium construction, such as Slate, Cosmopolitan, The Coil). Land use plans permitting such type of construction should align with this.”

- Heights increased
- Districts need to be tailored to context, not all contexts warrant 60’ heights

Questions & Concerns: Vacant building provision



Citation: Section 743-203

“Explain a bit more about the Vacant Building provision. There are many houses that have been vacant for approaching a decade or more. It makes me nervous when I think about having the allowable uses to evolve based on the vacant status. Is it possible that all of a sudden for a house to be a corner market or something?”

- Applies to buildings only
- C, I, MU-1, CBD-1 districts only
- Narrow list of uses added

Questions & Concerns: Parking downtown



Citation: Section 744-402

“Are there Parking changes for commercial districts downtown?”

- No change in CBD-1 (none required)
- Small reduction for CBD-2 & CBD-3
- Other locations regulated by type of use
- Options for reducing the required parking

Questions & Concerns: Secondary dwelling units



Citations: Section 743-200 & Section 743-306.EE

Secondary Dwelling Units should not be allowed.

- Changing needs of households
- Distinctly different from a duplex or double
- Owner required to live on-site
- Other development standards

Questions & Concerns:

Parking for lots under 5,000 sf



Citation: Section 744-402

“[Indy Rezone] appears to eliminate the parking requirements for lots under 5,000 sf. Would this allow existing buildings on these small lots to eliminate existing parking if they wish to expand their building/facilities or does this only account for new development? Would neighborhoods have any say over elimination of parking?”

- Created with existing buildings in mind
- If new building or expansion, must meet all development standards

AMENDMENT TO PROPOSAL NO. 217, 2015

by replacing the phrase “January 1, 2016” with “**April 1, 2016**” throughout the document;

by deleting “**upon its adoption**” and adding “**on April 1, 2016**” in Section 740-104.A, to read as follows:

A. The Zoning Ordinance shall be in full force and effect **on April 1, 2016** in compliance with IC 36-7-4.

by deleting the “**S**” for the Hazardous Materials or Objectionable Substances Manufacturing land use in Table 743-1: Use Table from the I-1, I-2, and I-3 districts;

by adding “**and all game courts**” in Section 743-306.A.2.a, to read as follows:

2. Accessory buildings and minor residential structures in all dwelling districts shall comply with the following requirements:

a. The horizontal land area covered by the primary building and all accessory buildings **and all game courts** and all minor residential structures must cumulatively meet the required open space requirement of the district.

AMENDMENT TO PROPOSAL NO. 217, 2015

by adding “**beyond basic maintenance**” in Section 743-306.B.1, to read as follows:

1. Dismantling, repairing or restoring of vehicles: No person shall dismantle, repair, restore or otherwise perform any work on any vehicle, machine, motor, or similar device not owned or leased by that person or a member of that person's family, on any property in a Dwelling district. In addition, any work **beyond basic maintenance** performed shall be:

- a. Incidental to a permitted use and completely within a garage or carport; or
- b. Completely within an area wholly enclosed from the view of surrounding properties and rights-of-way by a solid structural barrier (either a wall or fence of ornamental block, brick, wood, or combination of those materials) of 6 feet in height.

by adding “, **CBD-3**” in Section 744-402.B.3, to read as follows:

3. Minimum vehicle parking required in the CBD-2, **CBD-3** and MU-3 districts is 1 space per 900 sf of floor area regardless of the type of land use.